

Serial Number 10/642,892
Calvesio et al.
Examiner Jamisue A. Webb

Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

Remarks

This Request for Continuing Examination (RCE) pursuant to 37 CFR §1.114 is filed in response to an Office Action mailed 10/21/2005 which was made Final ("Final Rejection"). The amendment set forth above is provided as a submission accompanying this Request for Continuing Examination (RCE). In this amendment, Claims 1, 23, and 31 are amended, and the remaining Claims remain as previously presented. A more detailed discussion of the Claim amendments as they relate to the prior art cited in the Final Rejection follows.

In the Final Rejection, Claims 1-32 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent Number 6,085,976 to Sehr ("Sehr"). This rejection is respectfully traversed.

First, the language of Claim 1 is considered. In the foregoing amendment, Claim 1 has been amended to recite the following:

a) prior to the time of travel, employing the data processing system to enroll a traveler to utilize an automated check-in process after an authorized enrollment representative verifies that the traveler is eligible to make an international border crossing; and

b) at the time of travel, utilizing the automated check-in process to complete the international border crossing without aid of human intervention.

Serial Number 10/642,892
Calvesio et al.
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Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

The language of Applicants' amended Claim 1 is not taught by Sehr for at least two reasons. First, Sehr does not teach employing a data processing system to enroll a traveler to utilize an automated process after an authorized enrollment representative verifies that the traveler is eligible to make an international border crossing. As discussed in Applicants' Specification, this step of Applicants' method generally involves manually inspecting travel documents including passports and visas, comparing photos with the traveler's appearance, and performing interviews. This step may further involve cross-checking the traveler's identity against one or more lists of people that are not allowed to enter the destination country because they are suspected of terrorist activities, or have been convicted of an unpardoned criminal offense, for example. Only after the enrollment representative is convinced the traveler is indeed authorized to make the requested border crossing will the traveler be authorized to use the automated system on the day of travel.

Sehr does not teach any method whereby an authorized enrollment representative verifies that the traveler is eligible to make an international border crossing before the traveler is enrolled to use an automated system. In fact, Sehr appears to teach a system whereby the passenger card and travel rights are issued via automated means such as a vending machine as follows:

"Figure 2 illustrates the Travel Center (2) that provides the computerized means for the selection, payment, and issuance of passenger cards; as well as for the storage in the cards of appropriate service entitlements and use rights....Such a center can be, for example, a ticket vending machine

Serial Number 10/642,892
Calvesio et al.
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Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

that is installed at an airport, a railroad station, or at a travel agency..."
(Sehr column 7 lines 25-33, emphasis added.)

This is reiterated as follows:

"The Travel Center facilitates the automated issuance of the passenger cards, including the loading into the card of an electronic ticket or of a permit authorizing the passenger for a specific itinerary..." (Sehr column 7 line 65 – column 8 line 1, emphasis added.)

The user interface module (21) that facilitates the automated issuance of the passenger cards is described in reference to Figure 3, as follows:

"For instance, the user interface lets the passengers select and compile the details of a particular trip, request the issuance of an electronic ticket, pay for the ticket, and load the ticket and appropriate service entitlements or use rights into the passenger card." (Sehr column 9 lines 8-12.)

The type of Sehr automated system for issuing the passenger cards does not teach use of Applicants' system and method that requires an authorized representative to verify eligibility to make a particular border crossing prior to the time of travel. For at least the foregoing reason, Claim 1 is not taught by Sehr.

Sehr does not teach Applicants' Claim 1 for at least one additional reason. Claim 1 describes that at the time of travel, the traveler is allowed to utilize the automated check-in process to complete the international border crossing without aid of human intervention. The Examiner states that this is taught by several Sehr passages including column 11 lines 31-59, column 23 lines 21-26, and column 35 lines 57-62. (See Final Rejection, sentence bridging pages 2 and 3.) Each of these citations is considered in turn.

Serial Number 10/642,892
Calvesio et al.
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Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

First, column 11 lines 31-59 states that access control modules (111) and (112) are used on the day of travel to capture information from a passport, such as the passenger's place of birth and citizenship. This information can be verified so as to authenticate the background of the passenger. This passage does not appear to claim, however, that such a step is performed without human intervention. In fact, in other passages of Sehr, Sehr appears to indicate that manual intervention is required for this step.

In support of the foregoing, in Sehr column 23 lines 21-26, Sehr specifically states that the cardholder's identify is verified by a travel representative on the day of travel. (Column 23 lines 20-21.) Sehr further states that in addition to any automated comparisons of travel data stored within the travel card, authorized personnel are also used to verify the card information manually when international travel is involved. (Sehr column 23 lines 31-33.)

Further to the point, Sehr describes the procedure for performing a border crossing as follows:

"Because this is an international travel, the passenger's passport will be verified as well. The passport will be retrieved from the passenger card and viewed on the control module's display screen. The representative can verify the displayed information as is, or might request additional information to further verify the lawful bearer, for example, the signature of the passenger to be entered via a signature pad." (Sehr column 34 lines 23-30, emphasis added.)

This passage makes clear that on the day of international travel, a representative must manually verify information from the passenger card, and may request

Serial Number 10/642,892
Calvesio et al.
Examiner Jamisue A. Webb

Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

additional information.

In the Sehr description that follows the foregoing passage involving international travel (quoted above), a discussion is provided regarding a luggage check-in procedure. (See column 34 line 39 et seq.) A statement following that luggage check-in description appears as follows:

"The above process of checking-in, tagging the luggage, and issuing a boarding pass by an airline representative can also be accomplished automatically via the card's built-in computerized means, while coupling the card to the passenger station-like apparatus and communicating with the airline's system database" (Sehr column 35 lines 57-59.)

The Examiner cites this passage as stating that the verification of the passport could be accomplished automatically. Applicant's Representative respectfully disagrees. The statement cited by the Examiner regarding automation is clearly in reference to the discussion on the baggage check-in procedure that immediately precedes this statement. This is particularly evident from the fact that this statement makes reference to communicating with the airline's system database, a process that is used to match loaded luggage to boarded passengers as follows:

"...the luggage items stored in the cargo hold can be matched against the passengers who have boarded the plane. This matching can be accomplished by comparing the information, including ticket and tag-related data, that was stored in the system database during the pre-flight check-in process with information, including cardholder and luggage-related data, that is stored in the data during the process of boarding passengers and loading luggage items into the cargo hold." (Sehr column 35 lines 18-26.)

Serial Number 10/642,892
Calvesio et al.
Examiner Jamisue A. Webb

Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

In contrast to this discussion related to baggage check-in, which repeatedly discusses the "system database", the discussion on the international travel process does not once mention the system database. This is evidence that the passage cited by the Examiner is referencing the baggage check-in process, and NOT the discussion in international travel.

It is further obvious that the statement cited by the Examiner is referring to the baggage check-in process and NOT to the international travel process, since the international travel procedure of Sehr is described as involving the following steps:

- viewing passport information on the control screen;
- verifying the display information; and
- optionally requesting addition information from the traveler.

(See Sehr column 34 lines 23-30, as quoted above.) These steps could not be performed merely by coupling a passenger card to the passenger station and communicating with the airline's database. This further emphasizes that the passage the Examiner is citing as teaching Applicants' system is, in fact, related to baggage check-in, and NOT to any international travel process.

Finally, the Examiner states that she is interpreting Sehr as presenting the computer as an alternative that may replace the airline representative entirely.

(Office Action page 4, section 14.) Applicants' Representative respectfully

Serial Number 10/642,892
Calvesio et al.
Examiner Jamisue A. Webb

Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

disagrees with this interpretation, particularly in view of the Sehr passage quoted above that does not provide any automated alternative for the representative's verification of displayed information, and the representative's requesting of additional information for the traveler, as needed. (See Sehr column 34 lines 23-30.)

For at least the foregoing reasons, Sehr does not teach either steps a) or b) of Applicants' Claim 1. Claim 1 is therefore allowable over the prior art cited in the Final Rejection.

Claims 2 – 22 depend from Claim 1 and are allowable over Sehr for at least reasons that are similar to those that are described above regarding Claim 1.

Independent Claims 23 and 31 are amended above in a manner similar to that described in regards to Claim 1. For at least the reasons described in reference to Claim 1, Claims 23 and 31 are allowable over Sehr.

Claims 24 – 30 depend from Claim 23, and Claim 32 depends from Claim 31. These Claims are likewise allowable over Sehr for at least reasons that are similar to those described above in reference to Claim 1.

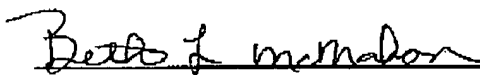
Serial Number 10/642,892
Calvesio et al.
Examiner Jamisue A. Webb

Attorney Docket RA-5621
RCE filed January 16, 2006
Group Art Unit 3629

Conclusion

In the Office Action dated 10/21/2005 which was made FINAL, Claims 1-32 were rejected. Claims 1, 23, and 31 are amended above in the submission accompanying the Request for Continuing Examination, and the remaining Claims remain unchanged. In view of the amendments to the Claims and the arguments set forth herein, it is respectfully submitted that all Claims are currently in condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner has questions or concerns, a call to the undersigned is encouraged and welcomed.

Respectfully submitted,

 1/16/2006

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